

EXHIBIT 2

0001

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF OHIO
3 WESTERN DIVISION

4 -----

5 American Pan Company, :

6 Plaintiff, :

7 vs. :

8 Case No. 3:06 CV 0197

9 Lockwood : Judge Thomas M. Rose

10 Manufacturing, Inc.,

11 :
12 Defendant.

13 :
14

15 -----

16 VIDEOTAPED DEPOSITION OF PATRICK MURRAY

17 -----

18
19 Taken at Bricker & Eckler LLP
20 100 South Third Street
21 Columbus, OH 43215
22 July 17, 2007, 10:05 a.m.

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25 Spectrum Reporting LLC

26 333 Stewart Avenue, Columbus, Ohio 43206

27 614-444-1000 or 800-635-9071

28 www.spectrumreporting.com

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1 APPEARANCES

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ON BEHALF OF PLAINTIFF:

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Bailey Cavalieri
10 West Broad Street, 21st Floor
Columbus, OH 43215
By W. Evan Price, II, Esq.
Robert R. Dunn, Esq.
R. Clifton Gibbs, Esq.

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ON BEHALF OF DEFENDANT:

8

Mueller, Smith & Matto
7700 Rivers Edge Drive
Columbus, OH 43235-1355
By Edward A. Matto, Esq.

10

11 and

12 Bricker & Eckler LLP
100 South Third Street
13 Columbus, OH 43215
By James P. Schuck, Esq.

14

15 ALSO PRESENT:

16 Videographer - Jeremy Dineen
Gilbert Bundy

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0022

1 Q. Okay. And at that point, were you
2 seeking to expand your market into the United
3 States?

4 A. We were interested in expanding our
5 market in the U.S. prior to hiring Jenny Bryan.

6 Q. Okay. But as -- prior to hiring her,
7 but it was after she was hired you were still
8 interested in doing so, correct?

9 A. Correct.

10 Q. And so she shared with you pricing
11 information using the Chicago Metallic documents,
12 correct?

13 A. Correct.

14 Q. Did she also use them to generate
15 potential customer leads?

16 A. No.

17 Q. Do you know what else she has used them
18 for in the course and scope of her employment at
19 Lockwood?

20 A. No.

21 Q. Have you discussed with her what she
22 has used them for?

23 A. No.

24 Q. Okay. Apart from yourself and

0184

1 State of Ohio : C E R T I F I C A T E

2 County of Franklin: SS

3 I, Stacy M. Rowley, a Notary Public in and for
4 the State of Ohio, certify that Patrick Murray was
5 by me duly sworn to testify to the whole truth in
6 the cause aforesaid; testimony then given was
7 reduced to stenotype in the presence of said
8 witness, afterwards transcribed by me; the
9 foregoing is a true record of the testimony so
10 given; and this deposition was taken at the time
11 and place specified on the title page.

12 Pursuant to Rule 30(e) of the Fed. R. Civ. P.,
13 the witness and/or the parties have not waived
14 review of the deposition transcript.

15 I certify I am not a relative, employee,
16 attorney or counsel of any of the parties hereto,
17 and further I am not a relative or employee of any
18 attorney or counsel employed by the parties hereto,
19 or financially interested in the action.

20 IN WITNESS WHEREOF, I have hereunto set my hand
21 and affixed my seal of office at Columbus, Ohio, on
22 July 20, 2007.

23 _____

24 Stacy M. Rowley, Notary Public - State of Ohio